AO 247 (02/08) Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT
for the
Southern District of Mississippi

United States of America	)
v.	)
Robert G. Virgil	) Case No: **3:04cr39WHB**
	) USM No: **07884-043**
Date of Previous Judgment: _____03/04/2005_____	)
(Use Date of Last Amended Judgment if Applicable)	) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☑ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C.
§ 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has
subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C.
§ 994(u), and having considered such motion,

IT IS ORDERED that the motion is:
  ☑ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in
        the last judgment issued) of _____ months **is reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	_____	Amended Offense Level:	_____
Criminal History Category:	_____	Criminal History Category:	_____
Previous Guideline Range:	_____ to _____ months	Amended Guideline Range:	_____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time
  of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the
  amended guideline range.
☑ Other (explain):
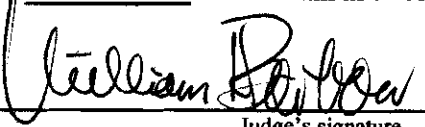 The defendant was sentenced under U.S.S.G. § 2K2.1(b)(5) not § 2D1.1.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated _____ shall remain in effect.
IT IS SO ORDERED.

Order Date: _____03/31/2008_____	_____
	Judge's signature
Effective Date: _____	**William H. Barbour, Senior U.S. District Judge**
(if different from order date)	Printed name and title